

# AUTHORIZING FUNDING FOR THE NATIONAL ADVOCACY CENTER

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6083) to authorize funding for the National Advocacy Center, as amended. The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6083

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. TRAINING FOR STATE AND LOCAL PROSECUTORS.

The Attorney General is authorized to award a grant to a national nonprofit organization (such as the National District Attorneys Association) to conduct a national training program for State and local prosecutors for the purpose of improving the professional skills of State and local prosecutors and enhancing the ability of Federal, State, and local prosecutors to work together.

## SEC. 2. COMPREHENSIVE CONTINUING LEGAL EDUCATION.

The Attorney General may provide assistance to the grantee under section 1 to carry out the training program described in such section, including comprehensive continuing legal education in the areas of trial practice, substantive legal updates, support staff training, and any other assistance the Attorney General determines to be appropriate.

## SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General to carry out this Act \$4,750,000 for each of the fiscal years 2009 through 2012, to remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

□ 1600

### GENERAL LEAVE

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 6083, a measure that will fund a National Training Program for State and local prosecutors.

Since 1998, the Attorney General has provided funds to the National District Attorneys Association to offer specialized training for approximately 3,000 State and local prosecutors each year.

This valuable training improves the ability of prosecutors to investigate and try difficult crimes, such as child and elder abuse, identity theft, and gang-related activities. It also provides the latest guidance on complex evidentiary issues, such as the use of DNA in criminal investigations.

While this is a crucial initiative that our communities can ill afford to lose, funding short-

ages in recent years unfortunately place its future in doubt. Traditional funding sources, such as the Edward Byrne Memorial Grants, have been severely cut over the past several years.

The National District Attorneys Association recently submitted a grant application for the program, but it appears that it will again, at best, receive diminished funding. As a result, there have been significant staff reductions, jeopardizing the program's future.

H.R. 6083 addresses this problem by authorizing \$4.75 million for each of fiscal years 2009 through 2012 for the Attorney General to fund a national non-profit organization such as NDAA to train State and local prosecutors.

I commend JOHN SPRATT of South Carolina for his leadership on this very important measure. I urge my colleagues to join me in supporting it.

Mr. Speaker, I ask unanimous consent that the distinguished gentleman from South Carolina (Mr. SPRATT) be given the ability to manage the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SPRATT. Mr. Speaker, I rise to urge my colleagues' support for H.R. 6083. This bill authorizes funding for a national training program, which is focused on State and local prosecutors. The funding this bill authorizes will be an important step toward ensuring that State and local prosecutors from across the country can have the training they need to be skilled, effective, and more professional prosecutors.

Originally, H.R. 6083 would have authorized \$6.5 million per year for 5 years to fund the Ernest F. Hollings National Advocacy Center, the NAC. The NAC is a joint venture of the Department of Justice and the National District Attorneys Association, which is located on the campus of the University of South Carolina in Columbia, South Carolina.

The NAC is a unique facility created specifically to train Federal, State, and local prosecutors in advocacy skills and management. Since 1997, 22,000 prosecutors from across the country have benefited from this program, which makes it a vital resource for the professional education of our State and local prosecutors. The classes and other programs at the NAC strengthen a prosecutor's advocacy skills by offering a wide range of specialized subjects, ranging from child abuse to gang crime to cyber crime and identity theft.

Over the years, operations at the NAC have relied mostly on congressionally directed appropriations. Recognizing the value of a national advocacy center, Congress has consistently seen to it that this support is available to NDAA for services at the NAC. But this year-by-year funding has led to uncertainty in the budgeting and operations of the center, and a cut in funding in recent years, or at least the threat of it, has put this program in doubt. Classes have been canceled, educators have been laid off, all of which is

evidence of the impact that unstable funding has had on the programs and, indeed, the NAC's ability to continue fulfilling its mission.

I intended H.R. 6083, as originally written, to be a step away from this perennial end-of-year funding crisis. I wanted to ensure also that State and local prosecutors nationwide could receive the training they need through a broad curriculum. However, with my concurrence, during the markup of H.R. 6083, the bill was amended. In its current form, the bill creates a grant program for comprehensive training, for which national nonprofit organizations, like the National District Attorneys Association, can compete.

In addition, the authorization has been lowered from \$6.5 million to \$4.75 million per year over a period of 5 years. This was done in response to suggestions from Members of the Senate that it would increase the bill's likelihood of being accepted unanimously there.

This bill enjoys broad bipartisan support in both the House and the Senate. Cosponsors on the bill come from all parts of the country: California, Alabama, Pennsylvania, Tennessee, and of course, South Carolina. It also has the emphatic support of the National District Attorneys Association.

I want to express my great appreciation to the committee chairman, Mr. CONYERS; to the chairman of the subcommittee, Mr. SCOTT; and to the Judiciary Committee staff, particularly Mario Dispenza, for working with dispatch and great diligence so that H.R. 6083 could be reported out of committee and placed on the suspension calendar.

Once again, I urge all my colleagues' support for training our State and local prosecutors, making them more professional. Vote "yes" on H.R. 6083.

Mr. Speaker, I reserve the balance of our time.

Mr. KING of Iowa. Mr. Speaker, I yield myself so much time as I may consume.

Mr. Speaker, our State and local prosecutors are the heart of our criminal justice system. These dedicated men and women prosecute the majority of criminal cases in the country.

Every State has its criminal problems, and in my home State, we have 350 deputy county attorneys and assistant attorneys general who prosecute thousands of crimes each year. In 2007, for example, State and county prosecutors handled over 68,000 criminal cases in my State alone.

The National District Attorneys Association, working in conjunction with the Department of Justice's Office of Legal Education, provides training to State and local prosecutors at the Ernest F. Hollings National Advocacy Center in Columbia, South Carolina. This comprehensive training improves trial practice and advocacy skills needed to successfully prosecute crimes against children, gang crimes, and other violent criminal activity.

The National Advocacy Center contains over 200,000 square feet of classrooms, conference rooms, and full-size

courtrooms equipped with state-of-the-art audio technology for training. The National District Attorneys Association offers a variety of courses at the center, often including visiting lecturers and experts in specific areas of criminal prosecution.

Since 1998, the NDAA's, National District Attorneys Association, program at the National Advocacy Center has provided specialized training and education to approximately 3,000 local prosecutors each year. And over that time, the center has trained a total of over 20,000 State and local prosecutors.

Unfortunately, Federal funding for this training has significantly decreased in recent years. In fiscal year 2007, the program received no Federal funding. This lack of funding has required the NDAA to lay off employees and require students to pay for their expenses in order to keep the training program up and running.

H.R. 6083 authorizes \$6.5 million a year for fiscal years 2009 through 2012 to the Attorney General to carry out this important training program.

It's critical that our prosecutors are properly trained to hone their courtroom skills and adapt to changing trial practices. These prosecutors come from all across the country and converge on South Carolina, where this center of education is there for them, and that means there's also a standard that goes back across the country, and I think that's an important piece of this as well, Mr. Speaker.

I urge my colleagues to join me in supporting H.R. 6083.

I reserve the balance of my time.

Mr. SPRATT. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, my prosecutors at home wrote me on several occasions asking me to support this particular bill. This school helps all of the prosecutors throughout this country in their efforts to fight crime, and if we don't have this school and the instruction it gives our district attorney generals, I think we all lose.

So I just wanted to add my voice to Mr. SPRATT's and others in this House and hope that we can continue the Byrne Center and help in our fight against crime, which ravages people all over this country but greatly in my district and in many inner cities. And unless we have strong prosecutors and others in the criminal justice system, we won't be successful in that fight.

Mr. RUPPERSBERGER. Mr. Speaker, I rise today in support of H.R. 6083, a bill to authorize the Ernest F. Hollings National Advocacy Center in Columbia, South Carolina.

The Ernest F. Hollings National Advocacy Center in Columbia, South Carolina is the largest and most productive national training facility for prosecutors.

The National District Attorneys Association has provided training at the National Advocacy Center for over 23,000 State and local prosecutors since the center's inception in 1998.

The National Advocacy Center is a state-of-the-art facility for prosecutors to learn the art

and science of trial advocacy from a faculty of experienced prosecutors.

At the National Advocacy Center, district attorneys learn about new trends in law enforcement and trial advocacy and are taught by experts in specific subject areas.

Authorizing the National Advocacy Center will help ensure that these important programs continue and that our district attorneys have the resources they need to get the job done.

I urge my colleagues to support the bill.

Mr. BARRETT of South Carolina. Mr. Speaker, I appreciate the opportunity to join my colleagues today in voicing my support for H.R. 6083, a bill to authorize funding for the National Advocacy Center.

Mr. Speaker, solicitors and district attorneys are the unsung heroes in the fight to keep our streets, and our homeland safe. They go to work every day fighting for justice and in doing so, protect each and every one of us. These brave men and women are on the ground every day working with law enforcement on how best to enforce our laws, and implement justice, and for that, we owe them a debt of gratitude.

It is vital for the operation of our justice system, and the protection of citizens across this Nation, that our district attorneys be well trained and highly educated. That is why, in 1950, the National District Attorneys Association, the NDAA, was formed. Today, this group is the oldest and largest professional organization representing criminal prosecutors in the world.

In pursuit of its mission to equip State and local prosecutors to best do their jobs, the NDAA operates the National Advocacy Center on the campus of the University of South Carolina in Columbia. In this one of a kind center, the training of State and local prosecutors has been centralized in a single location. Offering classes such as "Boot camp: An Introduction to Prosecution" and "Childproof: Advanced Trial Advocacy for Child Abuse Prosecutors," this center delivers unmatched education and training to prosecutors from all across our Nation.

Mr. Speaker, because it is in everyone's best interest to have the best trained legal minds prosecuting criminals, and by doing so, keeping us safe, the National Advocacy Center deserves our full support. And the solicitors, prosecutors, and district attorneys across our Nation deserve our thanks. I urge my colleagues to support this bill.

Mr. WILSON of South Carolina. Mr. Speaker, I wish to take this opportunity to express my strong support for the Ernest F. Hollings National Advocacy Center (NAC) located on the campus of the University of South Carolina and for H.R. 6083, legislation which authorizes funding for NAC to help that organization train State and local prosecutors.

Started by the National District Attorneys Association (NDAA) in 1998, for more than a decade the NAC has educated over 20,000 prosecutors—expanding their knowledge of difficult legal matters and skills to better serve their communities. I am grateful that my son Alan is a graduate of the NAC program. I know firsthand that his experience has been an important part of his legal training.

State and local prosecutors are an invaluable component of our nation's justice system. Their service helps protect American families by keeping criminals off our streets and making our neighborhoods safer for our children. I

commend the staff of the National Advocacy Center for their hard work, and I encourage my colleagues to join me in supporting this important program.

Mr. KING of Iowa. Mr. Speaker, I yield back the balance of my time.

Mr. SPRATT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. JACKSON of Illinois). The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 6083, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. KING of Iowa. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### PROVIDING FOR PATENT AND TRADEMARK JUDICIAL APPOINTMENTS

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3295) to amend title 35, United States Code, and the Trademark Act of 1946 to provide that the Secretary of Commerce, in consultation with the Director of the United States Patent and Trademark Office, shall appoint administrative patent judges and administrative trademark judges, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 3295

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. APPOINTMENT OF ADMINISTRATIVE PATENT JUDGES AND ADMINISTRATIVE TRADEMARK JUDGES.

(a) ADMINISTRATIVE PATENT JUDGES.—Section 6 of title 35, United States Code, is amended—

(1) in subsection (a)—

(A) in the second sentence, by striking "Deputy Commissioner" and inserting "Deputy Director"; and

(B) in the last sentence, by striking "Director" and inserting "Secretary of Commerce, in consultation with the Director"; and

(C) by adding at the end the following:

"(c) AUTHORITY OF THE SECRETARY.—The Secretary of Commerce may, in his or her discretion, deem the appointment of an administrative patent judge who, before the date of the enactment of this subsection, held office pursuant to an appointment by the Director to take effect on the date on which the Director initially appointed the administrative patent judge.

"(d) DEFENSE TO CHALLENGE OF APPOINTMENT.—It shall be a defense to a challenge to the appointment of an administrative patent